

STATEMENT OF FACTS
JONATHAN E BROWN

On 06/27/07, at the Windsor/Detroit tunnel, a U.S./Canada port of entry in Windsor, ON, Jonathan BROWN applied for admission to Canada. BROWN, a U.S. citizen and resident of the state of Ohio, was driving a car registered to BROWN at the address of 5791 N. Meadows Boulevard, Apt. H, Columbus, Ohio 43229. Brown told a Canadian Customs Officer that the reason for his one night trip to Windsor was to watch the fireworks and stay at a local hotel. BROWN further stated that he was traveling alone and was not going to meet anyone in Canada. BROWN was then referred to secondary to verify his negative declaration about prohibited items.

During the secondary examination, Canadian Customs Officers noticed several 8X10 photos of young male children, fully dressed, in the rear of the vehicle and on his camera, also located in the rear of the vehicle.

BROWN had the following items in his possession: a Notebook computer, Canon digital camera, a Motorola V400 and a Motorola RZAR phone and various printed photographs of clothed children.

Canadian Border Services Officers forensically inspected the laptop for possible child pornography and identified at least one image that depicted a prepubescent male who appears to be having anal intercourse with another prepubescent child of unknown sex. Once child pornography was detected, BROWN was arrested by Canada for possessing unlawfully imported goods.

BROWN consented to an interview with the Canadian Border Services Officers. During the interview, BROWN stated he was the sole owner and user of the laptop computer, camera and cell phones located within the vehicle. He admitted that he was aware that there were images of "nude kids" on the computer and that he had downloaded these images of children engaged in sexual acts from various Internet sites. BROWN further stated that he was aware that it was illegal to possess pornographic images of children and had thought he had erased the images from his computer.

On 06/28/07, Windsor Police Services conducted a consensual interview with BROWN during which he confirmed all information previously provided. He further stated that he had an additional computer located at his residence at 5791 N. Meadows Boulevard, Apt. H, Columbus, OH, which was connected to the Internet via AT&T. BROWN advised that he was the sole owner of the computer and no one else utilized it or had access to it. When asked if he had any other disturbing images of children at the residence, BROWN stated, "I don't know". When asked to clarify this response, BROWN stated "there are hundreds more, printed pictures, like the ones from the car". When asked if the images were of children naked or clothed, BROWN stated, "there are hundreds of hardcopy pictures of clothed and naked young boys...6, 8 and 10 years old...I'm ashamed of it".

On 6/28/07, CBSA officials contacted ICE SAC/Detroit Special Agent Angie Potter and provided details of BROWN'S arrest. SAC/Detroit agents contacted me with the information. A federal search warrant was obtain for BROWN'S residence in the Southern District of Ohio to look for child pornography. As a result of the search warrant, the following items were seized:

- 1 Gateway desktop computer
- 1 USB external hard drive
- 137 compact discs
- 5 VHS tapes
- 43 floppy discs
- 1 Nikon digital camera
- Miscellaneous still photos and documents
- 1 pair of boy's underwear

The forensics examination of the desktop computer revealed 262 images and 5 digital movies containing child pornography. Nineteen of those images were identified as originating outside the State of Ohio and involving known victims. All of those images were located in the download folder of a program entitled "mIRC" which is a program running on Internet Relay Chat. The program is designed to allow individuals to engage in chat dialogues with numerous other individuals in many states and countries at the same time via the Internet. The program also gives the users the capability of sharing photographs and movies in interstate and foreign commerce.

The still photos and photo albums seized were mostly of clothed 8 to 11 year old boys at various campgrounds where Brown worked or were taken at public events of what appeared to be strangers to Brown. There were also several photos of nude boys and photos of clothed boys posed in positions similar to those in the child pornography photos. In addition there were images which were on photo paper and could have been print-outs of images from the Internet or computers which were child pornography.

The forensics examination of the external hard drive revealed the presence of 1653 images of child pornography and 177 digital movies containing child pornography. The external hard drive also had 32 images and 12 digital movies of child pornography involving bondage.

CBSA officials completed a forensics examination of the laptop computer seized at the border. The laptop had four hundred eighty six (486) images and twenty seven (27) digital movies containing child pornography. On March 6, 2008, BROWN entered a guilty plea in Canadian Court Province of Ontario for Possession of Child Pornography and served a sentence there before he was deported to the United States and was immediately placed in custody by ICE SAC/Detroit agents.

ICE RAC/CU Senior Special Agent Cameron Bryant